



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Leon Smith,

Plaintiff,

- against -

The City of New York, et al.

Defendants.  
-----X

:  
: 1: 07 Civ. 5455 (PAC)

: ORDER OF DISCONTINUANCE

HONORABLE PAUL A. CROTTY, United States District Judge:

The Court having been advised that the parties reached a settlement in this matter<sup>1</sup>, it is,

**ORDERED**, that the above-entitled action be and hereby is discontinued, without costs to either party, subject to reopening should the settlement not be consummated within forty-five (45) days of the date hereof. The Court will sign a stipulation of dismissal upon receipt from either party. In light of the settlement in principle, the November 15, 2007 status conference is cancelled.

SO ORDERED

A handwritten signature in black ink, appearing to read "Paul A. Crotty".

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PAUL A. CROTTY  
United States District Judge

Dated: New York, New York  
October 9, 2007

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<sup>1</sup> See attached letter dated October 5, 2007 from Douglas W. Heim.



MICHAEL A. CARDOZO  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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October 5, 2007

**BY FAX: (212) 805-6304**

Honorable Paul A. Crotty  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 735  
New York, New York 10007

Re: Leon Smith v. City of New York, et al., 07 Civ. 5455 (PAC)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendants City of New York ("City") and Officer Paschall ("Paschall"). I write to respectfully inform the Court that the parties have reached an agreement in principle to settle this matter for Five Thousand (\$5,000) Dollars. Defendants therefore respectfully request the parties be relieved of their obligations under the Court's September 21, 2007 Case Management Plan and Scheduling Order. Plaintiff consents to this request.

This office will mail a stipulation and order of dismissal along with general releases and affidavits of liens to plaintiff's counsel promptly. Upon receipt of the signed stipulation, and executed releases and affidavits, the stipulation and order of dismissal will be submitted to the Court for execution.

Thank you for your consideration herein.

Respectfully submitted,



Douglas W. Heim (DH5238)  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Steven A. Hoffner, Esq. (by fax: 212-941-8137)  
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